

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q63282

Hikaru KOUTA, et al.

Appln. No.: 09/788,621

Group Art Unit: 2882

Confirmation No.: 4578

Examiner: Chih Cheng G. Kao

Filed: February 21, 2001

For: METHOD FOR MODIFYING REFRACTIVE INDEX IN OPTICAL WAVE-GUIDE  
□ DEVICE

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

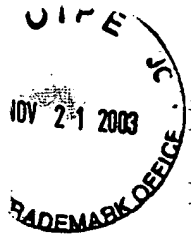
One copy of each of the listed documents is submitted herewith

1. JP 4-298702 A 10/22/1992
2. WO 01/09899 A1 2/8/2001
3. D HOMOELLE et al., "Infrared Photosensitivity in Silica Glasses Exposed to Femtosecond Laser Pulses," Optics Letters Vol. 24, No. 18 (September 15, 1999, pp 1311-1313)

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The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Japanese Office Action issued September 4, 2003 in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Japanese Office Action issued September 4, 2003 indicating the degree of relevance found by the foreign patent office.


The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 09/788,621

Atty Dkt No. Q63282

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: November 21, 2003

[illegible][illegible]

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		D HOMOELLE et al., "Infrared Photosensitivity in Silica Glasses Exposed to Femtosecond Laser Pulses," Optics Letters Vol. 24, No. 18 (September 15, 1999, pp 1311-1313)	

Examiner Signature		Date Considered	
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.

Q63282

- Regarding Claims 8 through 13
- Cited Literature 1

The inventions of Claims 8 through 13 are the inventions of an “optical waveguide device” and therefore, the technical scope of the manufacturing method is not considered to be a matter that defines the invention from the invention of these claims. As a result, what is disclosed in Claim 8 is, for example, in short, an “optical waveguide device” itself that is the final product of the manufacturing method of Claim 1, etc., namely an optical waveguide device having a core portion where  $\text{GeO}_2$  is doped and its refractive index is adjusted to a desirable value. An optical waveguide device having a core portion where  $\text{GeO}_2$  is doped and its refractive index is adjusted to a desirable value was a publicly known technical matter prior to the subject application. (See Cited Literature 1 for example.)

Therefore, the inventions of Claims 8 through 13 have no significant difference from the invention disclosed in the above-mentioned publicly known technology.

#### List of Cited Literature

1. Japanese Unexamined Patent Application Publication H4-298702

Q63282

#### Prior Art Literature Search Results

▪ Fields searched           IPC 7th Edition G02B 6/10–6/14 G02F 1/00–3/02

DB name

▪ Prior art literature

D. Homoelle *et al*, Optics Letters, Vol. 24 No. 18 (September 15, 1999) pp. 1311–1313

International Publication 00/02073 pamphlet

International Publication 01/09899 pamphlet

This Record of Prior Art Literature Search Results does not constitute a reason for rejection.